

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

c

WILBERT J. SAUCIER, JR.,  
Plaintiff

CIVIL ACTION NO. 14-CV-3157

VERSUS

CHIEF JUDGE DRELL

STATE FARM MUTUAL  
AUTOMOBILE INSURANCE CO.,  
Defendant

MAGISTRATE JUDGE PEREZ-MONTES

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**MEMORANDUM ORDER**

On April 19, 2016, following briefing and a hearing, the Court granted a Motion to Compel (Doc. 70) filed by Plaintiff, Wilbert J. Saucier, Jr. ("Saucier"). The Court further granted Saucier's request for attorney's fees under Fed. R. Civ. P. 37(a)(5)(A), and ordered Saucier to submit evidence of expenses and attorney's fees incurred in filing the Motion to Compel. Saucier thereafter filed the pending Motion to Fix Reasonable Attorney's Fees. (Doc. 79).

Saucier seeks an award of \$1,487.50 in attorney's fees. That figure is based upon an hourly rate of \$175.00 and 8.5 hours of work for: (1) preparing the Motion to Compel; (2) attending the motion hearing; and (3) preparing the Motion to Fix.

In fixing reasonable attorney's fees, the Court must determine the reasonable number of hours expended on the litigation and the reasonable hourly rate to be assigned each hour. See La. Power & Light Co. v. Kellstrom, 50 F.3d 319, 323-24 (5th Cir. 1995). Attorney's fees must be calculated at the "prevailing market rates in the relevant community for similar services by attorneys of reasonably comparable skills,

experience, and reputation.” Adams v. City of New Orleans, No. CIV.A. 13-6779, 2015 WL 4606223, at \*3 (E.D. La. July 30, 2015).

Recent attorneys’ fees awards in this district include: \$160 (Pitre v. City of Eunice, No. 6:14-CV-02843, 2015 WL 4459964 (W.D. La. July 21, 2015)); \$275.00 (Dugas v. Mercedes-Benz USA, LLC., No. 6:12-CV-02885, 2015 WL 1198604 (W.D. La. March 16, 2015); \$225.00 (Campbell v. Harold Miller, Jr. Trucking & Paving, LLC, Civ. No. 6:13-2840, 2014 WL 6389567 (W.D. La. Nov. 13, 2014)); and \$200.00 and \$185.00 (Cash v. Unocal Corp., Civ. No. 6:04-1648, 2014 WL 2980589 (W.D. La. May 27, 2014)). Saucier’s suggested hourly rate of \$175.00 falls well within the range of rates normally awarded in this community. The rate is reasonable.

Recent hours awards in this district include: 3.3 hours to prepare and argue a motion to compel (Pitre, 2015 WL 4459964); \$225.00 (Campbell v. Harold Miller, Jr. Trucking & Paving, LLC, Civ. No. 6:13-2840, 2014 WL 6389567 (W.D. La. Nov. 13, 2014); 9.5 hours to prepare two “fairly routine” motions to compel (Dugas v. Mercedes-Benz USA, LLC, No. 6:12-CV-02885, 2015 WL 1198604 (W.D. La. Mar. 16, 2015)); and 7.5 hours to prepare a Motion to Compel and attend a hearing (Kelso v. Butler, No. 12-CV-2756, 2013 WL 3894439 (W.D. La. July 25, 2013)). Here, Saucier seeks fees for 6.5 hours to prepare and prosecute the motion to compel (including approximately 1 hour to attend the motion hearing), and 2 hours to prepare the Motion to Fix.

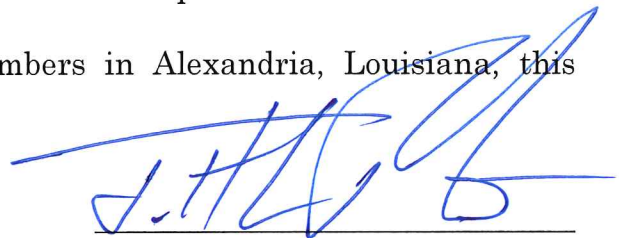
The Court finds that minor adjustments to Saucier’s requested hours are warranted. The Court awards Saucier attorney’s fees for 5.5 hours to prepare and

prosecute the Motion to Compel, given its complexity and novelty. The Court further awards Saucier attorney's fees for 1.5 hours to prepare the Motion to Fix.

Accordingly, IT IS ORDERED that Plaintiff's Motion to Fix Reasonable Attorney's Fees is GRANTED.

IT IS FURTHER ORDERED that, on or before June 15, 2016, counsel for Defendant shall remit \$1,225.00 to counsel for Plaintiff, representing attorney's fees incurred in preparing and prosecuting the Motion to Compel and the Motion to Fix.

THUS DONE AND SIGNED in chambers in Alexandria, Louisiana, this  
14<sup>th</sup> day of June, 2016.



Joseph H.L. Perez-Montes  
United States Magistrate Judge